

**CALIFORNIA BUILDING INDUSTRY ASSOCIATION
CALIFORNIA BUSINESS PROPERTIES ASSOCIATION
CALIFORNIA CHAMBER OF COMMERCE
CALIFORNIA LANDSCAPE CONTRACTORS ASSOCIATION**

November 5, 2003

Mr. Paul Dabbs
Statewide Planning Branch
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001

SUBJECT: California Water Plan Update 2003

Dear Mr. Dabbs:

As members of the Public Advisory Committee, the above listed organizations from the Business Caucus appreciate the opportunity to comment on the stakeholder briefing draft for the California Water Plan Update 2003 (Bulletin 160-03), dated September 30, 2003.

The Business Caucus recognizes that the current draft of the Bulletin is an attempt to provide an overview of California's water supply challenges and offer various recommendations for improving the state's supply. However, we are concerned that some of the recommendations in the draft to improve supply lean too heavily on faulty assumptions. For example, although increases in population can have an impact on water supplies, the draft Bulletin fails to recognize that the state's overall water delivery system has become less reliable over the last 20 years due to a lack of investment by the state to expand the state's water supply infrastructure even though demand continues to increase.

Despite this shortcoming, we are encouraged that the draft Bulletin instills some confidence in using various water supply strategies which we support, including conjunctive management, water transfers, desalination and water conservation. Over time, these strategies will prove to be beneficial to both the economy and the environment. However, we continue to believe that additional water storage opportunities should also be recognized as a high priority for the state and we especially take exception to statements that certain projects (i.e., desalination) may have so-called "growth inducing" impacts. Such references should be deleted from the draft Bulletin.

California faces a variety of challenges in meeting its water supply needs, including finding water supply sources to meet the demands of new and existing residents who call California home.

Rather than describing both the economic and political challenges of producing affordable housing, providing jobs and a maintaining a stable economy, the "Urban Land Use Management" section under Chapter 5 provides a biased and subjective description of California's land use patterns, choosing instead to focus on population growth, automobile usage and so-called suburban sprawl as the primary reason for the state's water supply problems. The Business Caucus believes this discussion is unnecessary, especially since certain laws and regulations have played an equal, if not a more challenging role, in hampering the state's ability to produce new water supplies.

The briefing draft also contains a discussion about potential benefits to water supplies by recommending more infill development, but fails to mention the challenges associated with such development. With a shortage of developable land due to endangered species requirements and local zoning requirements, more development is increasingly occurring in urban markets. However, the document does not discuss some of the liability challenges associated with urban infill development, particularly contamination issues associated with brownfield sites.

On the issue of water supply and land use planning, our organizations are more than willing to discuss ways of increasing the state's water supply so that all Californians may benefit, as well as improving the communication between local governments and water agencies. However, we do not agree that a new "water element" is needed during the general plan stage. There are more than enough water management laws requiring localities to consider water supplies during the planning stages, including CEQA. Requiring a water element during the general plan stage would create a duplicative and unnecessary mandate that will inevitably create an open door to litigation and another tool for NIMBYs to stop needed infrastructure projects, including affordable housing.

While local governments should encourage more water efficient landscapes, mandating certain plants or landscapes without considering implementation costs or consumer choice issues is an incomplete discussion. Specifically, the recommendation in the "Urban Water Use Efficiency" section under Chapter 5, which calls for the creation of landscapes with minimal or no irrigation is completely unacceptable and must be removed from the document. This recommendation could be read to mean that California should forbid the vast majority of plants that currently grace our urban landscapes and parks.

Again, while the draft briefing document as a whole contains some useful information, we request that the Urban Land Use and the Urban Water Use Efficiency sections under Chapter 5 be revised. The briefing document needs to move away from a subjective discussion about sprawl and the recommendations for mandating specific development patterns or urban landscapes should either be deleted or revised to describe both the legal, economic and policy changes associated with such projects. Thank you for considering our comments.

Sincerely,

Mr. Paul Dabbs
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